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JUL 15 2004

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DAC
Office of Petitions

In re Application of: Cotner et al. Group Art Unit: 2171
Application No.: 09/819,476 Atty. Docket No.: STL9-2000-078US1
Filed: March 28, 2001

For: Method, System and Program for Implementing Scrollable
 Cursors in a Distributed Database System

**PETITION UNDER 37 C.F.R. §1.313(a) AND §1.313 (c) FOR
WITHDRAWAL OF PATENT APPLICATION FROM ISSUE**

Margaret A. Focarino
Director Technology Center 2100
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

Attached are the following documents in support of this Petition:

- 1) Copy of RCE postcard dated June 29, 2004
- 2) Copy of RCE transmittal dated June 29, 2004
- 3) Copy of Issue Fee postcard date stamped July 1, 2004
- 4) Copy of issue fee transmittal date stamped July 1, 2004
- 5) Copy of PAIR search result dated July 7, 2004 (2 pages)
- 6) Copy of Deposit Account statement from USPTO website dated July 7, 2004
- 7) Written Consent of Assignee, Statement Under 37 C.F.R. §3.73(b) and Letter Of Authority

Petition is made to the Director of Technology Center 2100, Work Group 2170 to withdraw the above-referenced U.S. Patent Application from issue.

On June 29, 2004 an RCE was filed in the above-referenced U.S. Patent Application (please see Attachments 1, 2, 5 and 6 as proof of filing (Certificate of Mailing) and payment of the appropriate fee). However, on July 1, 2004, the issue fee was inadvertently paid (please see Attachments 3, 4, 5 and 6 as proof of filing and payment of the appropriate fee).

Applicants hereby request the above-referenced U.S. Patent Application be withdrawn from issue and favorable consideration of the RCE filed June 29, 2004.

Granting of this Petition is proper because the RCE was filed prior to payment of the issue fee.

Applicants do not believe that there is any fee associated with this petition. However, if any fees are required, please charge deposit account 09-0460.

Entry of the Petition and granting thereof are respectfully requested.

Respectfully submitted,

Dated: July 13, 2004

By: 

Lynne D. Anderson
Registration No. 46412
Program Manager, USPTO Liaison
IBM Corporation
333 John Carlyle Street
Suite 635
Alexandria, VA 22314
(703)299-1455

F

Application Serial No. 09/819,476

KRV Docket No. 55.0028

IBM Docket: STL920000078US1

TITLE: METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING SCROLLABLE CURSORS
IN A DISTRIBUTED DATABASE SYSTEM

Date submitted: 29 June 2004
by: RD/ayc

The Following, due 6 July 2004 in the U.S. Patent & Trademark Office, was received in
the Patent & Trademark Office on the date stamped hereon:

- Request for Continued Examination
- Fee transmittal
- Information Disclosure Statement - 12 references

ATTACHMENT 1

PTO/SB/30
0055.0028

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL RECEIVED JUL 15 2004 OFFICE OF PETITIONS	Application Number:	09/819,476
	Filing Date:	March 28, 2001
	First Named Inventor:	C.L. Cotner et al.
	Group Art Unit:	2171
	Examiner Name:	Etienne Pierre Leroux
	Atty Docket Number:	STL920000078US1
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000.		
1. Submission required under 37 C.F.R. § 1.114 a. <input type="checkbox"/> Previously submitted i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ____. ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____. iii. <input type="checkbox"/> Other ____. b. <input checked="" type="checkbox"/> Enclosed i. <input type="checkbox"/> Amendment/Reply, ____ pages ii. <input checked="" type="checkbox"/> Fee Transmittal Form iii. <input checked="" type="checkbox"/> Supplemental Information Disclosure - <u>12 references</u> iv. <input checked="" type="checkbox"/> Postcard; 2. Miscellaneous a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Fee of \$ ____ under 37 C.F.R. § 1.17(i) is enclosed.) b. <input type="checkbox"/> Other ____. 3. Fees a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>09-0460</u> . i. <input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) iii. <input checked="" type="checkbox"/> Other <u>Charge Any Deficiency</u> . b. <input type="checkbox"/> Check in the amount of \$ ____ is enclosed. c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) for extending One Month Extension of Time to Two Month Extension.		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED		
Name (print/type) Rabindranath Dutta	Registration No. Registration No. 51,010	
Signature <i>Rabindranath Dutta</i>	Date June 29, 2004	
CERTIFICATE OF MAILING OR TRANSMISSION		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:		
Name (print/type) Rabindranath Dutta		
Signature <i>Rabindranath Dutta</i>	Date June 29, 2004	

ATTACHMENT 2

S.N. 09/819,476 Docket No. STL920000078US1 Date Mailed: _____ By: RD/vsi

Title: METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING SCROLLABLE CURSORS IN A DISTRIBUTED DATABASE SYSTEM

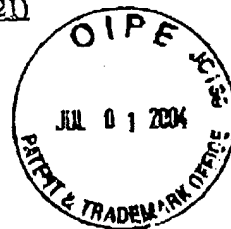
Client: International Business Machines Corporation

0055.0028

Receipt is hereby acknowledged for the following received in the Patent & Trademark Office on the date stamped hereon:

- ☒ Transmittal for Issue Fee Paperwork (PTO/SB/21)
- ☒ Change of Correspondence Address
- ☒ Fee Address Indication Form
- ☒ Issue Fee Transmittal Form PTOL-85 (+ copy)
- ☒ Return Postcard

DOCKETED - AYC



PART B - FEE(S) TRANSMITTAL

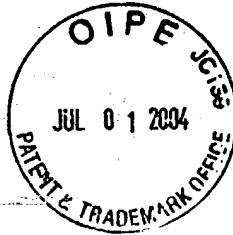
CONFIRMATION
COPYComplete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

04/05/2004

David W. Victor
KONRAD RAYNES & VICTOR LLP
315 S. Beverly Drive, Suite 210
Beverly Hills, CA 90212

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,476	03/28/2001	Curt Lee Cotner	STL92000078US1	3726

TITLE OF INVENTION: METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING SCROLLABLE CURSORS IN A DISTRIBUTED DATABASE SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	07/06/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEROUX, ETIENNE PIERRE	2171	707-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

DAVID W. VICTOR
KONRAD RAYNES & VICTOR
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

INTERNATIONAL BUSINESS MACHINES CORPORATION

ARMONK, NEW YORK

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
☐ Publication Fee
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized by check the required fee(s), or credit any overpayment, to Deposit Account Number 09-0466 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Rabinowitz Ditta (Date) 6/11/2004
RABINOWITZ DITTA REF NO. 51010

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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ATTACHMENT 4

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PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Search results for application number: 09/819,476			
Application Number:	09/819,476	Customer Number:	-
Filing or 371(c) Date:	03-28-2001	Status:	Publications -- Issue Fee Paid - Not Matched with File
Application Type:	Utility	Status Date:	07-06-2004
Examiner Name:	LEROUX, ETIENNE PIERRE	Location:	PUBS - FILE MAINTENANCE FACILITY, BAILEYS X-RD, 308-6789
Group Art Unit:	2171	Location Date:	06-22-2004
Confirmation Number:	3726	Earliest Publication No:	US 2002-0143728 A1
Attorney Docket Number:	STL920000078US1	Earliest Publication Date:	10-03-2002
Class/ Sub-Class:	707/001	Patent Number:	-
First Named Inventor:	Curt Cotner, Gilroy, CA	Issue Date of Patent:	-
Title Of Invention:	METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING SCROLLABLE CURSORS IN A DISTRIBUTED DATABASE SYSTEM		

Search Options

Patent Term Adjustment History
Published Documents

File History	
Date	Contents Description
07-01-2004	Issue Fee Payment Recorded
07-02-2004	Workflow incoming amendment IFW
07-02-2004	Workflow - Request for RCE - Begin
06-22-2004	Receipt into Pubs
05-24-2004	Receipt into Pubs
05-06-2004	Workflow - Query Request - Finish
04-29-2004	Receipt into Pubs
04-27-2004	Workflow - Query Request - Begin
04-09-2004	Receipt into Pubs
04-08-2004	Workflow - File Sent to Contractor
04-08-2004	Receipt into Pubs

ATTACHMENT 5

04-07-2004	Dispatch to Publications
04-07-2004	Issue Revision Completed
04-05-2004	Mail Notice of Allowance
04-02-2004	Notice of Allowance Data Verification Completed
04-02-2004	Notice of Allowability
01-18-2004	Date Forwarded to Examiner
01-12-2004	Response after Non-Final Action
10-10-2003	Mail Non-Final Rejection
10-08-2003	Non-Final Rejection
09-11-2003	Date Forwarded to Examiner
09-02-2003	Response after Non-Final Action
06-02-2003	Mail Non-Final Rejection
05-29-2003	Non-Final Rejection
03-25-2003	Case Docketed to Examiner in GAU
05-16-2002	Case Docketed to Examiner in GAU
05-01-2002	Information Disclosure Statement (IDS) Filed
04-11-2002	Case Docketed to Examiner in GAU
05-29-2001	IFW Scan & PACR Auto Security Review
05-08-2001	Application Dispatched from OIPE
05-04-2001	Correspondence Address Change
04-16-2001	IFW Scan & PACR Auto Security Review
03-28-2001	Initial Exam Team nn



**United States
Patent and
Trademark Office**



Deposit Account Statement

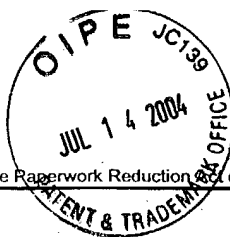
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Deposit Account Number: 090460
Name: IBM-INTERNATIONAL BUSINESS MACHINES CORP
Attention: IP LAW DEPARTMENT (J46/G4)
Address: 555 BAILEY AVENUE
City: SAN JOSE
State: CA
Zip: 95141-1003

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/01	4	09918144	STL920000097	1251	\$110.00	\$87,141.53
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07/02	6	09685481	ST9-95-010US	1814	\$110.00	\$84,628.53
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07/06	42	09477767	ST999131/149	1814	\$110.00	\$81,530.53
07/06	80	09819476	STL920000078	1801	\$770.00	\$80,760.53
07/06	222	09819476	STL920000078	1501	\$1,330.00	\$79,430.53
07/06	223	09819476	STL920000078	1504	\$300.00	\$79,130.53
07/07	7	10158849	CA920030027US2	8021	\$40.00	\$79,090.53
07/07	37	09860004	STL9-2000-01	1402	\$330.00	\$78,760.53
07/07	38	09820451	2061P/SVL920	1402	\$330.00	\$78,430.53

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$87,251.53	\$8,821.00	\$0.00	\$78,430.53

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ATTACHMENT 6



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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Cotner, et al.

Application No./Patent No.: 09/819,476 Filed/Issue Date: March 28, 2001

Entitled: Method, System and Program for Implementing Scrollable Cursors in a Distributed Database System
International Business Machines Corporation, a corporation of New York

(Type of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011668, Frame 0914, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 9, 2004

Date

(703)299-1455

Telephone number

Lynne D. Anderson

Typed or printed name



Signature

Program Manager, USPTO Liaison

Title

Docket #STL9-2000-078US1

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

LETTER OF AUTHORITY

I, Gerald Rosenthal, Vice President, Intellectual Property and Licensing of International Business Machines Corporation (IBM), a New York corporation, do hereby delegate the authority to approve and execute documents on behalf of IBM relating to proceedings in the Patent, Trademark Registration or Copyright Offices servicing any country or region of the world, or to related appeal proceedings, including, but not limited to: petitions; powers of Attorney; authorizations; verification; nominations of representatives; declarations; documents relating to maintenance and defense of the resulting industrial property rights; assignments of rights to apply for and acquire patents and trademark registrations; and evidence of such assignments; requests for the registration of patents as available for licensing; reports of inventions and petitions for waiver of patent rights to any department or agency of the United States Government; and, assignments, licenses and other instruments confirmatory of Government rights in patents and inventions, to Lynne D. Anderson. Program Manager, Patent Office Liaison.

Date: April 6, 2004



Gerald Rosenthal
Vice President, Intellectual Property & Licensing
International Business Machines Corporation